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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/045,918

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Michael E. Carroll

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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/045,918	Applicant(s) CARROLL, MICHAEL E.	
	Examiner Ryan F Pitaro	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/09/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-31 have been examined.

Specification

2. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of **50 to 150 words**. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In this case, the abstract is brief and less than 50 words.

Claim Objections

3. Claims 2 and 3 are objected to because of the following informalities: "data displaying to said user information" should be "data displaying said user information".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 10-20, and 31 of the claimed invention are directed to non-statutory subject matter. A method for displaying information to a user comprising the steps of: displaying a frame border; and incorporating textual and/or graphical data within said frame border, lacks assured results and therefore is not concrete. Depending on the remainder of the claim it may also not be tied to a technological art, environment or machine, instead being an abstract idea, and not tangible, as well.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6,11-16,21-26, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Senechalle et al ("Senechalle", US 2002/0191028).

As per independent claim 1, Senechalle discloses a method for displaying information to a user, comprising the steps of: displaying a frame border; and incorporating textual and/or graphical data within said frame border (Figure 1; *wherein a plurality of text, buttons, and graphics are displayed within the frames border*).

As per claim 2, which is dependent on claim 1, Senechalle discloses a method wherein said textual and/or graphical data displaying to said user information with respect to the content of said border (Figure 1).

As per claim 3, which is dependent on claim 1, Senechalle discloses said textual and/or graphical data displaying to said user information identifying said border as a frame border which can be positioned, sized, and opened by said user clicking on or dragging said border (Figure 9; *resizing pane or frame*).

As per claim 4, which is dependent on claim 2, Senechalle discloses a method wherein said data provides a hotspot for selection by said user to open said frame ([0034] lines 3-6 and Figure 1; *wherein the maximize button as seen in the top right hand corner opens the pane to expand to its maximum size*).

As per claim 5, which is dependent on claim 4, Senechalle discloses a method wherein said hotspot further being selectable by said user to launch an application within said frame ([0032] lines 1-6).

As per claim 6, which is dependent on claim 3, Senechalle discloses a method further comprising the step responsive to said user clicking on said border of bringing said frame to the forefront ([0056] lines 3-7).

Claims 11,21, and 31 are individually similar in scope to that of Claim 1, and are therefore rejected under similar rationale.

Claims 11 and 22 are individually similar in scope to that of Claim 2, and are therefore rejected under similar rationale.

Claims 12 and 23 are individually similar in scope to that of Claim 3, and are therefore rejected under similar rationale.

Claims 13 and 24 are individually similar in scope to that of Claim 4, and are therefore rejected under similar rationale.

Claims 14 and 25 are individually similar in scope to that of Claim 5, and are therefore rejected under similar rationale.

Claims 15 and 26 are individually similar in scope to that of Claim 6, and are therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7,8,10,17,18,20,27,28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Senechalle et al ("Senechalle", US 2002/0191028) in view of Bruce ("Bruce", Sams Teach Yourself Macromedia Dreamweaver 3, in 24 Hours).

As per claim 7, which is dependent on claim 1, Senechalle fails to distinctly point out the properties at the time of development. However, Bruce teaches a method providing to a user at design time a frame properties information box for user definition of frame content (Page 3 Figure 2.3). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Senechalle with the current teaching of Bruce. Motivation to do so would have been to allow the user to specify certain attributes at the development stages.

As per claim 8, which is dependent on claim 7, Senechalle-Bruce discloses a method further comprising providing in said frame properties information box for user selection of caption formula and/or text (Page 1 Figure 2.1), show parameters (Page 3 Figure 2.3; *margin settings*), caption alignment (Page 1 figure 2.1, *Align left*), font (Page 1 Figure 2.1), size (Page 1 Figure 2.1), style (Page 3 Figure 2.3), text color (Page 3 Figure 2.3), and background color (Page 3 Figure 2.3).

As per claim 10, which is dependent on claim 1, Senechalle fails to distinctly point out disabling border captioning. However, Bruce teaches a method responsive to creation of a web enabled frame border, disabling border captioning (Page 14 lines 9-11). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Senechalle with the current teaching of Bruce. Motivation to do so would have been to allow the user to simplify the page by eliminating screen clutter.

Claims 17 and 27 are individually similar in scope to that of Claim 7, and are therefore rejected under similar rationale.

Claims 18 and 28 are individually similar in scope to that of Claim 8, and are therefore rejected under similar rationale.

Claims 20 and 30 are individually similar in scope to that of Claim 10, and are therefore rejected under similar rationale.

9. Claims 9,19 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Senechalle et al ("Senechalle", US 2002/0191028) in view of Bruce ("Bruce", Sams Teach Yourself Macromedia Dreamweaver 3, in 24 Hours) in further view of Angiulo et al ("Angiulo", US 2002/0135621).

A per claim 9, which is dependent on claim 7, Senechalle-Bruce fails to distinctly point out an edit box for caption text. However, Angiulo teaches displaying to said user a caption edit box for entry of caption text (Figure 3 item 138). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Senechalle-Bruce with the current teaching of Angiulo. Motivation to do so would have been to provide a way for the user to change the caption to further reflect the contents of the frame border.

Claims 19 and 29 are individually similar in scope to that of Claim 9, and are therefore rejected under similar rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US006141007A teaches gui for displaying cooperating panels.

- US005388202A teaches a method for having pictorial frame elements in window borders.
- US006728784B1 teaches toolbars in between border edges.
- US005970496A teaches pictures in borders.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Art Unit 2174
Patent Examiner

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Art Unit: 2174

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RFP

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